

DISCLAIMER

This electronic version of an SCC order is for informational purposes only and is not an official document of the Commission. An official copy may be obtained from the [Clerk of the Commission, Document Control Center](#).

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, SEPTEMBER 19, 2000

APPLICATION OF

ONFIBER CARRIER SERVICES-
VIRGINIA, INC.

CASE NO. PUC000133

For certificates of public
convenience and necessity to
provide local exchange and
interexchange telecommunications
services

FINAL ORDER

On May 18, 2000, OnFiber Carrier Services-Virginia, Inc.
("OnFiber" or "Applicant"), completed an application for
certificates of public convenience and necessity
("certificates") with the State Corporation Commission
("Commission") to provide local exchange and interexchange
telecommunications services throughout the Commonwealth of
Virginia. The Applicant also requested authority to price its
interexchange telecommunications services on a competitive basis
pursuant to § 56-481.1 of the Code of Virginia.

By Order dated June 5, 2000, the Commission directed the
Applicant to provide notice to the public of its application,
directed the Commission Staff to conduct an investigation and
file a Staff Report, and scheduled a public hearing to receive
evidence relevant to OnFiber's application. On August 22, 2000,

the Staff filed its report finding that OnFiber's application was in compliance with 20 VAC 5-400-180, the Rules for Local Exchange Telephone Competition ("Local Rules"), and 20 VAC 5-400-60, the Rules Governing the Certification of Interexchange Carriers ("IXC Rules"). The Staff filed an amendment to its Report on August 28, 2000. Based upon its review of OnFiber's application and unaudited financial statements, the Staff determined it would be appropriate to grant both local exchange and interexchange certificates to the Applicant subject to three conditions: (1) any customer deposits collected by OnFiber be retained in an unaffiliated third-party escrow account until such time as the Staff or Commission determines it is no longer necessary; (2) OnFiber shall provide audited financial statements of its parent, OnFiber Communications, Inc., to the Staff of the Division of Economics and Finance no later than one (1) year from the effective date of OnFiber's initial tariff; and (3) at such time as voice services are initiated by the Applicant, OnFiber shall comply with all requirements of § C (Conditions for certification) of the Local Rules.

A hearing was conducted on September 7, 2000, at which time OnFiber filed all proofs of publication and service as required by the June 5, 2000, Scheduling Order. At the hearing, the application and accompanying attachments and the Staff Report, as amended, were entered into the record without objection.

OnFiber agreed to the recommendations and conditions contained in the Staff Report.

NOW UPON CONSIDERATION of the application and the Staff Report, the Commission finds that OnFiber's application should be granted. Having considered § 56-481.1 of the Code of Virginia, the Commission also finds that OnFiber may price its interexchange telecommunications services competitively.

Accordingly, IT IS ORDERED THAT:

(1) OnFiber Carrier Services-Virginia, Inc., is hereby granted a certificate of public convenience and necessity, No. TT-109A, to provide interexchange telecommunications services subject to the restrictions set forth in the IXC Rules and § 56-265.4:4 of the Code of Virginia.

(2) OnFiber Carrier Services-Virginia, Inc., is hereby granted a certificate of public convenience and necessity, No. T-506, to provide local exchange telecommunications services subject to the restrictions set forth in the Local Rules and § 56-265.4:4 of the Code of Virginia.

(3) Pursuant to § 56-481.1 of the Code of Virginia, OnFiber may price its interexchange telecommunications services competitively.

(4) OnFiber shall provide tariffs to the Division of Communications that conform with all applicable Commission rules and regulations.

(5) Should OnFiber collect customer deposits, it shall establish and maintain an escrow account, held by an unaffiliated third party, to hold such funds and shall notify the Division of Economics and Finance of the escrow arrangement. Any escrow arrangement established pursuant to this Order shall be maintained for such time as the Staff or Commission determines it is necessary.

(6) OnFiber shall provide audited financial statements of its parent, OnFiber Communications, Inc., to the Staff of the Division of Economics and Finance no later than one (1) year from the effective date of OnFiber's initial tariff.

(7) At such time as voice services are initiated by the Applicant, OnFiber shall comply with all requirements of § C (Conditions for certification) of the Local Rules.

(8) There being nothing further to come before the Commission, this case shall be dismissed and the papers herein placed in the file for ended causes.